



Attorney Docket No.: 033335R046

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Andrew David WRIGHT Confirmation No.: 3753

U.S. Serial No. : 10/502,231

Filed : April 25, 2005

Examiner : Bradley J. Osinski

Group Art Unit : 3767

For : DISPENSING DEVICE WITH AGITATION OF DISPENSING
FLUID (As Amended)

**REQUEST FOR REPUBLICATION OF US PUBLICATION No. 2006-0243273-A1 DUE
TO USPTO ERROR**

Republication of the above identified application due to an error on the part of the USPTO in publishing the application with a set of claims from a different serial numbered application is respectfully requested.

That is, the claims of a preliminary amendment, filed May 23, 2006, were entered into the present application in error.

It is believed that the noted discrepancy is due to claims for Application Serial No. 10/502,321 (believed to correspond to US Pub 2005/0152993 to De Oliveira) being improperly submitted by the Applicant in that case to the present case. A review of the record, and particularly the cover sheet of the May 23, 2006 preliminary amendment, shows that, while that preliminary amendment designated the present Application's Serial No. 10/502,231, all the remainder of the information in that cover sheet references a different application. Accordingly it is clear that the Applicant in that case made an error in its serial number designation and that error has led to that preliminary amendment being improperly entered into this '231 application. A review of the subject matter of the claims in the May 23, 2006 further reveals that those claims have no direct relationship to the subject matter of the present application.

Also, this filing error by the Applicant in the '321 application has led to the publication of this '231 application with an incorrect set of claims. Accordingly, as Applicant had no role in this error on the part of the '321 Applicant and the USPTO in filing and entering an incorrect set of claims, Applicant respectfully requests republication **on an expedited basis** of the present application with the correct claim set (i.e., the claim set as originally filed in the present case or the claim set being presented herein at the option of the USPTO).

As Applicant played no role in the publication error of the present case, no fees are deemed required to have the present application properly published.

Respectfully submitted,

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Date: July 8, 2008

AMENDMENTS TO THE DRAWINGS

Please replace Original Figure 1 with the "Replacement Sheet" submitted with this response pursuant to 37 CFR 1.121(d).

